

AMENDED IN ASSEMBLY SEPTEMBER 7, 2007

AMENDED IN ASSEMBLY AUGUST 31, 2007

AMENDED IN ASSEMBLY JUNE 28, 2007

AMENDED IN ASSEMBLY JUNE 20, 2007

AMENDED IN SENATE MAY 10, 2007

SENATE BILL

No. 281

Introduced by Senators Maldonado and Denham

February 15, 2007

An act to add Section 4059 to, *and to amend Section 48001 of*, the Food and Agricultural Code, relating to agriculture.

LEGISLATIVE COUNSEL'S DIGEST

SB 281, as amended, Maldonado. District agricultural associations: goods and property.

Under existing law, a district agricultural association, with the approval of the Department of Food and Agriculture and the Department of General Services, may enter into contracts, purchase, convey, sell, or lease property, or engage in several other types of legal transactions.

This bill would require the Department of Food and Agriculture to develop criteria to be used, subject to the approval of the Department of General Services, for the disposal of property by a district agricultural association and the California Exposition and State Fair.

Existing law provides that there is in the department the California Citrus Advisory Committee, comprised as specified. The committee is required to develop and make recommendations to the Secretary of Food and Agriculture on all matters regarding the implementation of an inspection program.

This bill would specify that procedures for implementing an inspection program shall include, but not be limited to, a mandatory hold for inspection prior to the shipping, following a citrus freeze.

Vote: majority. Appropriation: no. Fiscal committee: yes.
State-mandated local program: no.

The people of the State of California do enact as follows:

1 SECTION 1. Section 4059 is added to the Food and
2 Agricultural Code, to read:
3 4059. (a) (1) Notwithstanding any other provision of law, the
4 Department of Food and Agriculture shall develop criteria to be
5 used, subject to the approval of the Department of General
6 Services, for the disposal of property by a district agricultural
7 association and the California Exposition and State Fair.
8 (2) As used in this section, “disposal of property” means the
9 sale of equipment, materials or other forms of personal property
10 no longer necessary to effectuate the purposes of the fair and that
11 do not exceed an estimated fair market value of fifty thousand
12 dollars (\$50,000).
13 (b) The board of the district agricultural association or California
14 Exposition and State Fair shall, prior to the disposal of property,
15 as defined in this section, first be required to determine, through
16 the Department of Food and Agriculture, if the property can be
17 used by another fair in the California Fair Network or other state
18 agency or department. If determined that such use is not possible,
19 the board of the district agricultural association or California
20 Exposition and State Fair shall sell the property to the buyer that
21 submits the highest bid.
22 (c) The regular department audit of district agricultural
23 associations shall confirm the source of funds of any disposed
24 property and compliance with the criteria developed under this
25 section for the disposal of property.
26 (d) The adoption of the criteria developed pursuant to this
27 section shall relieve a district agricultural association and the
28 California Exposition and State Fair of any requirements to abide
29 by the provisions of the State Administrative Manual which may
30 apply to disposal of property developed by the Department of
31 General Services.

1 *SEC. 2. Section 48001 of the Food and Agricultural Code is*
2 *amended to read:*

3 48001. (a) There is in the department the California Citrus
4 Advisory Committee.

5 (b) The committee shall be comprised as follows:

6 (1) Eight producers.

7 (A) Five producer members shall be engaged in the production
8 of navel or Valencia oranges; four of which shall be engaged in
9 the production of navel or Valencia oranges in the San Joaquin
10 Valley, and two of the four members shall be engaged in the
11 production of navel or Valencia oranges in Tulare County.

12 (B) Two producer members shall be engaged in the production
13 of lemons, one of which is engaged in the production of lemons
14 in Ventura County.

15 (C) One of the members shall be engaged in the production of
16 mandarin citrus.

17 (2) Four handlers, which have their principal place of business
18 located in one of the following counties: Fresno, Kern, Madera,
19 Orange, Riverside, San Bernardino, Santa Clara, Tulare, and
20 Ventura.

21 (A) Two handler members shall be located in the San Joaquin
22 Valley.

23 (B) One handler member shall be engaged in the handling of
24 lemons in Ventura County.

25 (c) The committee shall be appointed by the secretary from
26 nominations submitted to the secretary by members of the navel
27 orange, Valencia orange, lemon, and mandarin citrus industries
28 group.

29 (d) Committee members may be compensated for reasonable
30 expenses actually incurred in the performance of their duties, as
31 determined by the committee and concurred in by the secretary.

32 (e) The committee shall meet at the request of the secretary, the
33 committee chairperson, or upon the request of three committee
34 members.

35 (f) The committee shall appoint a chairperson, one or more vice
36 chairpersons, and any other officers it deems necessary.

37 (g) The committee shall develop and make recommendations
38 to the secretary on all matters regarding the implementation of this
39 chapter including:

- 1 (1) Procedures for implementing an inspection program that
2 shall include, but not be limited to, the following:
3 (A) *Mandatory hold for inspection prior to shipping, following*
4 *a citrus freeze.*
5 ~~(A)~~
6 (B) The minimum number of inspections to be conducted, and
7 the duration of each inspection period.
8 ~~(B)~~
9 (C) The minimum number of samples to be taken.
10 ~~(C)~~
11 (D) Statistical analysis of compliance levels and determination
12 of an acceptable level of compliance.
13 ~~(D)~~
14 (E) Documentation of inspection data including the number of
15 inspectors, number of inspections performed, and budget
16 information relating to expenses of personnel, mileage, and
17 overhead costs.
18 ~~(E)~~
19 (F) Monitoring and postevaluation of program effectiveness by
20 the secretary.
21 ~~(F)~~
22 (G) Development of a single memorandum of understanding
23 between the department and all county agricultural commissioners
24 for the counties specified in subdivision (b).
25 (2) Determinations as to which counties have met the inspection
26 requirements.
27 (3) Procedures for implementing a state crop estimating and
28 acreage survey.
29 (h) The secretary shall accept the recommendations of the
30 committee if he or she determines that the recommendations are
31 practicable and in the interest of the industry and the public. The
32 secretary shall provide the committee within 30 days of receipt of
33 the recommendations with a written statement of reasons if he or
34 she does not accept any of the recommendations.

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